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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/733,252	12/12/2003	Jorg-Thomas Zettler	2694-0139P

02292  
 BIRCH STEWART KOLASCH & BIRCH  
 PO BOX 747  
 FALLS CHURCH, VA 22040-0747



CONFIRMATION NO. 8673

## FORMALITIES LETTER



\*OC000000012448731\*

Date Mailed: 04/26/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/26/2004 HDENESS1 00000036 10733252

01 FC:2051

65.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 1-4.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

R. Wagon

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



MS MISSING PARTS  
PATENT  
2694-0139P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: ZETTLER, Jorg-Thomas Conf.: 8673  
Appl. No.: 10/733,252 Group: UNASSIGNED  
Filed: December 12, 2003 Examiner: UNASSIGNED  
For: METHOD AND APPARATUS FOR THE  
DETERMINATION OF CHARACTERISTIC LAYER  
PARAMETERS AT HIGH TEMPERATURES

**THIS IS NOT A NEW PATENT APPLICATION**

LETTER SUBMITTING DOCUMENTS  
FOR COMPLETION OF AN APPLICATION  
PURSUANT TO 37 C.F.R. § 1.53(f) and/or § 1.53(d)

**MS MISSING PARTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 23, 2004

Sir:

The application papers for the above-identified application were originally filed on December 12, 2003 and the application was assigned Appl. No. 10/733,252.

07/26/2004 HDEMESS1 00000036 10733252

02 FC:2251

55.00 OP

**DOCUMENTATION**

☒ Under the provisions of 37 C.F.R. §§ 1.41(c) and 1.53(f), attached hereto is the executed Declaration of the inventor(s) (☒ original ☐ photocopy), necessary for completing the filing requirements in connection with the above-identified application.

☐ Under the provisions of 37 C.F.R. §§ 1.41(c) and 1.53(f), attached hereto is the executed Declaration that was attached

to the specification at the time of execution. The attached specification is a true copy of the specification that was filed in the U.S. Patent and Trademark office on December 12, 2003, including any amendments thereto (if applicable) filed on even date therewith.

- ☒ The undersigned hereby declares that "Attorney Docket No. 2694-0139P " on page 1 of the attached inventors' Declaration, corresponds to Appl. No. 10/733,252, filed December 12, 2003, entitled "METHOD AND APPARATUS FOR THE DETERMINATION OF CHARACTERISTIC LAYER PARAMETERS AT HIGH TEMPERATURES."
- ☒ Attached is a copy of the Notice to File Missing Parts of Nonprovisional Application.
- ☒ Attached is an English language translation of the above-identified application that was filed in a foreign language, which should be used as the copy for examination purposes.
  - ☒ See the attached Translator's Verification; or
  - ☐ The undersigned states that the English translation attached hereto is a true and correct translation of the application as originally filed in a foreign language.
- ☒ Attached are five (5) sheet(s) of formal drawings. Please substitute these corrected drawings for the corresponding five (5) sheets of drawings on file in the above-identified application.
- ☐ Attached are substitute claims commencing on a separate sheet in accordance with 37 C.F.R. § 1.75(h).
- ☐ Attached is a substitute abstract commencing on a separate sheet in accordance with 37 C.F.R. § 1.72(b).
- ☐ Attached is a substitute specification that complies with 37 C.F.R. § 1.52. The substitute specification does not contain new matter.

- ☒ Applicant claims small entity status under 37 C.F.R. § 1.27.
- ☒ Submitted concurrently herewith **under separate cover** for recording is an Assignment.

### FEES

The Government Filing Surcharge(s) (37 C.F.R. § 1.16(e) and/or § 1.17(k)) and the basic Government Filing Fee(s) (37 C.F.R. § 1.16(a)-(d), if applicable) is/are attached hereto and calculated as follows:

- ☐ Basic Filing Fee(s): \$0.00 (37 C.F.R. § 1.16(a)-(d))
- ☒ The Government Filing Surcharge under 35 U.S.C. § 1.16(e) for late filing of filing fee, oath and/or declaration:
- ☐ Large Entity - \$130.00      ☒ Small Entity - \$ 65.00
- ☒ The Government Filing Surcharge under 37 C.F.R. § 1.17(i) for filing of translation of non-English Specification in the amount of \$130.00:
- ☒ was previously paid for concurrently with the filing of the application on December 12, 2003.
- ☐ is attached hereto.
- ☐ Additional claim fee(s) under 37 C.F.R. § 1.16(b)-(d) in the amount of \$0.00; which have been calculated as follows:

	CURRENT NUMBER OF CLAIMS		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA	RATES	ADDITIONAL FEE
TOTAL	18	-	20	=	0	\$18 (large)	\$0.00
INDEPENDENT	2	-	3	=	0	\$86 (large)	\$0.00
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM						\$290 (large)	\$0.00
						<b>TOTAL</b>	<b>\$0.00</b>

- ☐ No extension fee is required because the undersigned has not yet received the Notice to File Missing Parts of

Nonprovisional Application. However, if for some reason it is determined that an extension of time is necessary, applicant hereby respectfully petitions for an extension of time for the filing of the present paper in accordance with the provisions of 37 C.F.R. § 1.136 and 37 C.F.R. § 1.17.

- ☒ Applicant hereby respectfully petitions for a one (1) month(s) extension of time for the filing of the present paper in accordance with the provisions of 37 C.F.R. § 1.136 and 37 C.F.R. § 1.17. The required fee of \$55.00 is attached hereto.
- ☒ Check(s) in the amount of \$120.00 to cover the basic filing fee(s), surcharge fee(s), additional claim fee(s), and any extension of time fee(s) (if applicable) is/are enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.
- ☐ No fee(s) required.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By



Joe McKinney Muncy, #32,334

P.O. Box 747

Falls Church, VA 22040-0747

(703) 205-8000

KM/asc  
2694-0139P

Attachment(s)

(Rev. 05/05/2004)